

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
**JP920000026US1(21146)**

In Re Application Of: **Tetsuya Noguchi, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/818,802	03-27-2001	Minh Dieu T. Nguyen	23389	2137	9893

Title: **ELECTRONIC CONTENTS PROVING METHOD AND SYSTEM, AND STORAGE MEDIUM FOR STORING PROGRAM THEREFOR**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Request to Rescind Abandonment  
Exhibit A  
Authorization to Act in a Representative Capacity  
Request for Change of Mailing Address**

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-0510/IBM** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

Dated: **May 18, 2007**

Steven Fischman  
Reg. No. 34,594  
SCULLY, SCOTT, MURPHY & PRESSER, P.C.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____	
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Typed or Printed Name of Person Mailing Correspondence _____	

SF:DJD:tam

CC:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicants:</b>	Tetsuya Noguchi, et al.	<b>Examiner:</b>	Minh Dieu T. Nguyen
<b>Serial No:</b>	09/818,802	<b>Art Unit:</b>	2137
<b>Filed:</b>	March 27, 2001	<b>Docket:</b>	JP920000026US1 (21146)
<b>For:</b>	ELECTRONIC CONTENTS PROVIDING METHOD AND SYSTEM, AND STORAGE MEDIUM FOR STORING PROGRAM THEREFOR	<b>Dated:</b>	May 18, 2007

**Confirm. No.:**9893

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST TO RESCIND ABANDONMENT**

Dear Sir:

Applicants have received a Notice of Abandonment dated June 16, 2005 for failure to timely reply to a December 3, 2004 non-final Office Action, in connection with the above-identified application.

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**CERTIFICATION OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website, on May 18, 2007.

Dated: May 18, 2007

  
Steven Fischman

In response, applicants note that the Notice of Abandonment was erroneously issued because the USPTO misfiled applicants' March 2, 2005 response. Specifically, applicants contend that the USPTO placed applicants' amendment within the file wrapper maintained for a pending U.S. Patent Application Serial No. 10/818,802 instead of 09/818,802 (emphasis added). Evidence of applicants' timely submitted March 2, 2005 response to the December 3, 2004 Office Action is attached hereto as "Exhibit A", which includes a copy of the response submitted.

As can be seen in Exhibit A, the Office of Initial Patent Examination placed a received stamp in the upper left corner of applicants' response on March 4, 2005 and then forwarded the thirty-eight page document to Art Unit 2137, as can be seen by the initials of an individual with the initials "IFW."

WHEREFORE, since the error was not the fault of applicants, it is respectfully requested that abandonment of this application<sup>2</sup> be rescinded.

Should any fee be required, please charge Deposit Account No. **19-1013/SSMP**.

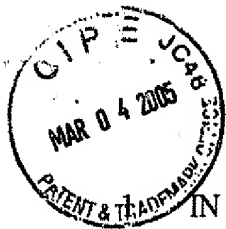
Respectfully submitted,



Steven Fischman  
Registration No. 34,594

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza – Suite 300  
Garden City, New York 11530  
(516) 742-4343  
SF:DJD:tam

EXHIBIT A



DOCKET NUMBER: JP920000026US1

2137

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 In re Application of Applicants: Date: March 2, 2005  
3 T. Noguchi Group Art Unit: 2137  
4 Serial No.: 09/818,802 Examiner: Nguyen, M. D. T.  
5 Filed: Dec. 11, 02 Docket No.: JP920000026US1  
6 For: ELECTRONIC CONTENTS PROVING METHOD AND SYSTEM, AND STORAGE  
7 MEDIUM FOR STORING PROGRAM THEREFOR

8 CERTIFICATE OF MAILING

9 I hereby certify that this paper and attached drawings (total of 38 sheets) are being mailed to Mail  
10 Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  
11 March 2, 2005.



Allison Berkman  
Administrative assistant to  
Dr. Louis P. Herzberg  
Registration No. 41,500



DOCKET NUMBER: JP920000026US1

2137 IFW

THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 In re Application of Applicants: Date: March 4, 2005  
3 T. Noguchi Group Art Unit: 2137  
4 Serial No.: 09/818,802 Examiner: Nguyen, M. D. T.  
5 Filed: Dec. 11, 02 Docket No.: JP920000026US1  
6 For: ELECTRONIC CONTENTS PROVING METHOD AND SYSTEM, AND STORAGE  
7 MEDIUM FOR STORING PROGRAM THEREFOR

8 Commissioner for Patents  
9 Alexandria, VA 22313-1450

10 RESPONSIVE AMENDMENT

11 Sir:

12 In response to the office action dated Dec. 1, 04, please consider the following:

13

LISTING OF THE CLAIMS

Claims:

1. (currently amended) An electronic content proving method using one of a computer system ~~and or~~ a computer network comprising the steps of:

(a) a proof service provider transmitting a certificate generation request to a witness or a certificate generator;

(b) said witness or said certificate generator obtaining electronic content upon the receipt of said certificate generation request from said service provider; and

(c) generating a certificate, wherein said certificate includes address information for said electronic content and time information for said proof.

2. (original) The electronic content proving method according to claim 1, wherein said certificate includes said electronic content, or data that uniquely represent said electronic content.

3. (original) The electronic content proving method according to claim 1, further comprising the step of

(d) accumulating said certificate in said service provider or transmitting said certificate to a user.

4. (original) The electronic content proving method according to claim 1, wherein said certificate includes address information for said electronic content and time information for said proof.

5. (original) The electronic content proving method according to claim 1, wherein said step of generating said certificate includes a step of providing a signature for said certificate; and wherein said signature step includes a first configuration process consisting of a first signature step by said witness or said certificate generator and a second signature step by said service provider, or a second configuration process consisting of a signature step by a notary service provider.

1 6. (original) The electronic content proving method according to claim 5, wherein said signature  
2 is encrypted using a public key encryption method to prevent alteration by a person other than a  
3 signer.

4 7. (original) The electronic content proving method according to claim 2, wherein said data that  
5 uniquely represents said electronic content is a hash code.

6 8. (original) The electronic content proving method according to claim 1, wherein in accordance  
7 with a request from said user, said certificate generation request is transmitted to said witness or  
8 to said certificate generator on one or multiple dates, or is transmitted continuously during one or  
9 multiple specific periods.

10 9. (original) The electronic content proving method according to claim 1, wherein  
11 synchronization of time is effected between said service provider and said witness or said  
12 certificate generator.

13 10. (currently amended) A proving system for a service provider that proves oneness for perusal  
14 and non-alteration of an electronic content using a computer system or a computer network  
15 comprising:

16 means for transmitting a certificate generation request to a witness or a certificate  
17 generator;

18 means for obtaining electronic content upon the receipt of said certificate generation  
19 request from said service provider; and

20 means for generating a certificate, wherein said certificate includes address information  
21 for said electronic content and time information for said proof.

22 11. (original) The proving system according to claim 10, wherein said certificate includes said  
23 electronic content, or data that uniquely represent said electronic content.



12. (original) The proving system according to claim 10, further comprising means for accumulating said certificate in a computer system of said service provider or means for transmitting said certificate to a user.

13. (original) The proving system according to claim 10, wherein said certificate includes address information for said electronic content and time information for said proof.

14. (original) The proving system according to claim 10, wherein said means for generating said certificate includes means for providing a signature for said certificate; wherein said signature means includes a first configuration consisting of first signature means by said witness or said certificate generator and second signature means by said service provider, or a second configuration consisting of signature means by a notary service provider.

15. (original) The proving system according to claim 14, wherein encryption means using a public key encryption method is employed for said signature means to prevent alteration by a person other than a signer.

16. (currently amended) A proving system for a service provider that proves openness for perusal or non-alteration of an electronic content using a computer system or a computer network, comprising:

means for accepting and for analyzing a service request received from a user;

means for selecting a witness or a certificate generator from a registered member group in which witnesses or certificate generators are registered;

means for transmitting a certificate generation request to said witness or said certificate generator that is selected;

means for accepting a certificate from said witness or from said certificate generator; and

means for transmitting said certificate to said user, wherein said certificate includes address information for said electronic content and time information for said proof.

1 17. (original) The proving system according to claim 16, wherein said means for accepting said  
2 certificate includes means for providing an electronic signature for said certificate.

3 18. (currently amended) A system for a witness or a certificate generator that proves openness for  
4 perusal or non-alteration of an electronic content using a computer system or a computer  
5 network, comprising:

6 means for accepting a certificate generation request from a user;

7 means for accessing an address of an electronic content included in said certificate  
8 generation request, and obtaining said electronic content;

9 means for generating a certificate including said electronic content, or code that uniquely  
10 represents said electronic content; and

11 means for transmitting said certificate to said service provider, wherein said certificate  
12 includes address information for said electronic content and time information for said proof.

13 19. (original) The system according to claim 18, wherein said means for generating said  
14 certificate includes means for providing an electronic signature for said certificate.

15 20. (currently amended) A storage medium for storing a program code that proves openness for  
16 perusal and non-alteration of an electronic content using a computer system or a computer  
17 network, said program code comprising:

18 a program code for, in accordance with a service request from a user or a self service  
19 request, transmitting a certificate generation request to a witness or a certificate generator;

20 a program code for obtaining electronic content upon the receipt of said certificate  
21 generation request from said service provider;

22 a program code for generating a certificate that includes said electronic content, or data  
23 that uniquely represent said electronic content; and

24 either a program code for accumulating said certificate in a computer system of said  
25 service provider or a program code for transmitting said certificate to a user, wherein said  
26 certificate includes address information for said electronic content and time information for said  
27 proof.

1 21. (original) An article of manufacture comprising a computer usable medium having computer  
2 readable program code means embodied therein for causing an electronic content proving  
3 method, the computer readable program code means in said article of manufacture comprising  
4 computer readable program code means for causing a computer to effect the steps of claim 1.

5 22. (original) A computer program product comprising a computer usable medium having  
6 computer readable program code means embodied therein for causing a proving system, the  
7 computer readable program code means in said computer program product comprising computer  
8 readable program code means for causing a computer to effect the system of claim 10.

9 23. (original) A computer program product comprising a computer usable medium having  
10 computer readable program code means embodied therein for causing a proving system, the  
11 computer readable program code means in said computer program product comprising computer  
12 readable program code means for causing a computer to effect the system of claim 16.

13 24. (original) A computer program product comprising a computer usable medium having  
14 computer readable program code means embodied therein for causing proof of openness for  
15 perusal or non-alteration of an electronic content, the computer readable program code means in  
16 said computer program product comprising computer readable program code means for causing a  
17 computer to effect the system of claim 18.

REMARKS

These remarks follow the order of the paragraphs of the office action. Relevant portions of the office action are shown indented and italicized.

**DETAILED ACTION**

*Claims 1-24 are pending.*

*Drawings*

1. *The drawings are not of sufficient quality to permit examination. Figures 7, 15-16 and 19-20 are objected because the shading reduces the legibility of the legends and makes the figures difficult to read in electronic form. Accordingly, replacement drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to this Office action. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action.*

*Applicant is given a THREE MONTH time period to submit new drawings in compliance with 37 CFR 1.81. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a). Failure to timely submit replacement drawing sheets will result in ABANDONMENT of the application.*

A clean legible set of the drawings is included herewith. Figures 7, 15-16 and 19-20 are labeled "Replacement Sheet" in the respective page header of these sheets.

*Claim Rejections - 35 USC § 103*

2. *The following is a quotation of 35 U.S.C. 1 03(a) which forms the basis for all obviousness rejections set forth in this Office action:*

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. Claims 1-3, 5-12, 14-15, 18-22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaeth et al. (6,308,277) in view of Kobata et al. (6,591,367).*

1 3. a) As to claims 1, 10, 18,20-22 and 24, Vaeth discloses a method and system for  
2 issuing and managing certificates in the field of telecommunications, particularly in  
3 electronic commerce (co l. 1, lines 10-13) comprising the steps of a proof service  
4 provider transmitting a certificate generation request to a witness or a certificate  
5 generator (col. 6, lines 19-20); the witness or the certificate generator generating a  
6 certificate (col. 6, line 21).

7 Vaeth does not disclose the step of the witness or certificate generator obtaining  
8 electronic content upon the receipt of the certificate generation request from the service  
9 provider.

10 Kobata discloses a method and apparatus for transmitting digital information over a  
11 network (col. 1, lines 1-2) comprising receiving system obtains digital information from a  
12 server system (Fig. 1; col. 3, lines 21-43; col. 4, lines 6-49). It would have been obvious  
13 to one of ordinary skill in the art at the time of the invention to employ the use of  
14 obtaining contents electronically as Kobata teaches in the system of Vaeth so as to  
15 save transmission bandwidth.

16 b) As to claims 2, 7 and 11, Vaeth discloses the certificate includes the electronic  
17 content or data which is a hash code that uniquely represents the electronic content  
18 (Fig.1, col. 3, lines 35-41).

19 c) As to claims 3 and 12, Vaeth discloses the method further comprising the  
20 step of accumulating the certificate in the service provider or transmitting the  
21 certificate to a user (col. 8, lines 49-51).

22 d) As to claims 5, 14 and 19, Vaeth discloses the step of generating the certificate  
23 includes a step of providing a signature for the certificate and wherein the signature  
24 step includes a first configuration process consisting of a first signature step by the  
25 witness or the certificate generator and a second signature step by the service  
26 provider (col. 4, lines 43-47) or a second configuration process consisting of a signature  
27 step by a notary service provider.

28 e) As to claims 6 and 15, Vaeth discloses the signature is encrypted using a public  
29 key encryption method to prevent alteration by a person other than a signer (col. 2,  
30 lines 16-67; col. 3, lines 1-13; lines 35-40).

31 f) As to claim 8, Vaeth discloses the method wherein in accordance with a request  
32 from the user, the certificate generation request is transmitted to the witness or the  
33 certificate generator on one or multiple dates or is transmitted continuously during one  
34 or multiple specific periods (col. 6, lines 1-6).

g) As to claim 9, Vaeth discloses the method wherein synchronization of time is effected between the service provider and the witness or the certificate generator (Fig. 2, elements 80 and 90).

4. Claims 16 and 23 are rejected under 35 U.S.C. 1 03(a) as being unpatentable over Vaeth et al. (6,308,277) in view of Um (6,728,884). Vaeth discloses a method and system for issuing and managing certificates in the field of telecommunications, particularly in electronic commerce (col. 1, lines 10-13) comprising means for accepting and for analyzing a service request received from a user (Fig. 2, element 75); means for transmitting a certificate generation request to the witness or the certificate generator that is selected (Fig. 2, element 81); means for accepting a certificate from the witness or from the certificate generator (Fig. 2, element 83); means for transmitting the certificate to the user (Fig. 2, element 77). Vaeth does not disclose means for selecting a witness or a certificate generator from a registered member group. Um discloses a method and apparatus for selectively authenticating and authorizing a client seeking access to one or more protected computer systems over a network comprising means for selecting a name that corresponds to a proxy server from the plurality of proxy servers to authenticate user (col. 9, lines 58-67 to col. 10, lines 1-5). It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of selecting a certificate generator or witness i.e proxy server from a plurality of proxy servers as Um teaches in the system of Vaeth so as to guarantee the randomness and fairness in authenticating and authorizing users.

5. Claim 17 is rejected under 35 U.S.C. 1 03(a) as being unpatentable over Vaeth et al. (6,308,277) in view of Um (6,728,884) and further in view of Kohl et al. (6,430,688). Vaeth further discloses means for accepting the certificate, however Vaeth and Um do not include means for providing an electronic signature to the certificate. Kohl discloses a method, apparatus, article of manufacture and a memory structure for issuing digital certificates to a client comprising digital signatures incorporate into a certificate (col. 5, lines 37-43). It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of incorporating digital signatures into a certificate as Kohl teaches in the system of Vaeth and Um so as to ensure the authenticity.

Allowable Subject Matter

6. Claims 4 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior arts do not teach the certificate includes address information for the electronic content.

Although applicant does not agree that the invention in the claims are made obvious by Vaeth et al. (6,308,277), with or without Kobata et al. (6,591,367), and/or Um (6,728,884), in order to

**DOCKET NUMBER: JP920000026US1**

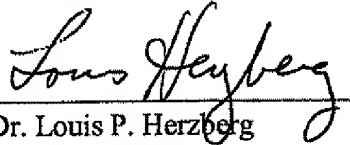
1 advance the prosecution of this application, the limitation of objected-to claim 4 (and claim 13)  
2 is added to claim 1, 10, 16, 18 and 20, and claims 4 and 13 are canceled.

3 It is anticipated that this amendment brings the application to allowance of claims 1-3, 5-12, and  
4 14-24. Favorable action is respectfully solicited. In the unlikely event that any claim remains  
5 rejected, please contact the undersigned by phone in order to discuss the application.

6 Please charge any fee necessary to enter this paper to deposit account 09-0468.

7 Respectfully submitted,

8 By:

  
Dr. Louis P. Herzberg  
Reg. No. 41,500  
Voice Tel. (914) 945-2885  
Fax. (914) 945-3281

9  
10  
11  
12  
13 IBM CORPORATION  
14 Intellectual Property Law Dept.  
15 P.O. Box 218  
16 Yorktown Heights, New York 10598

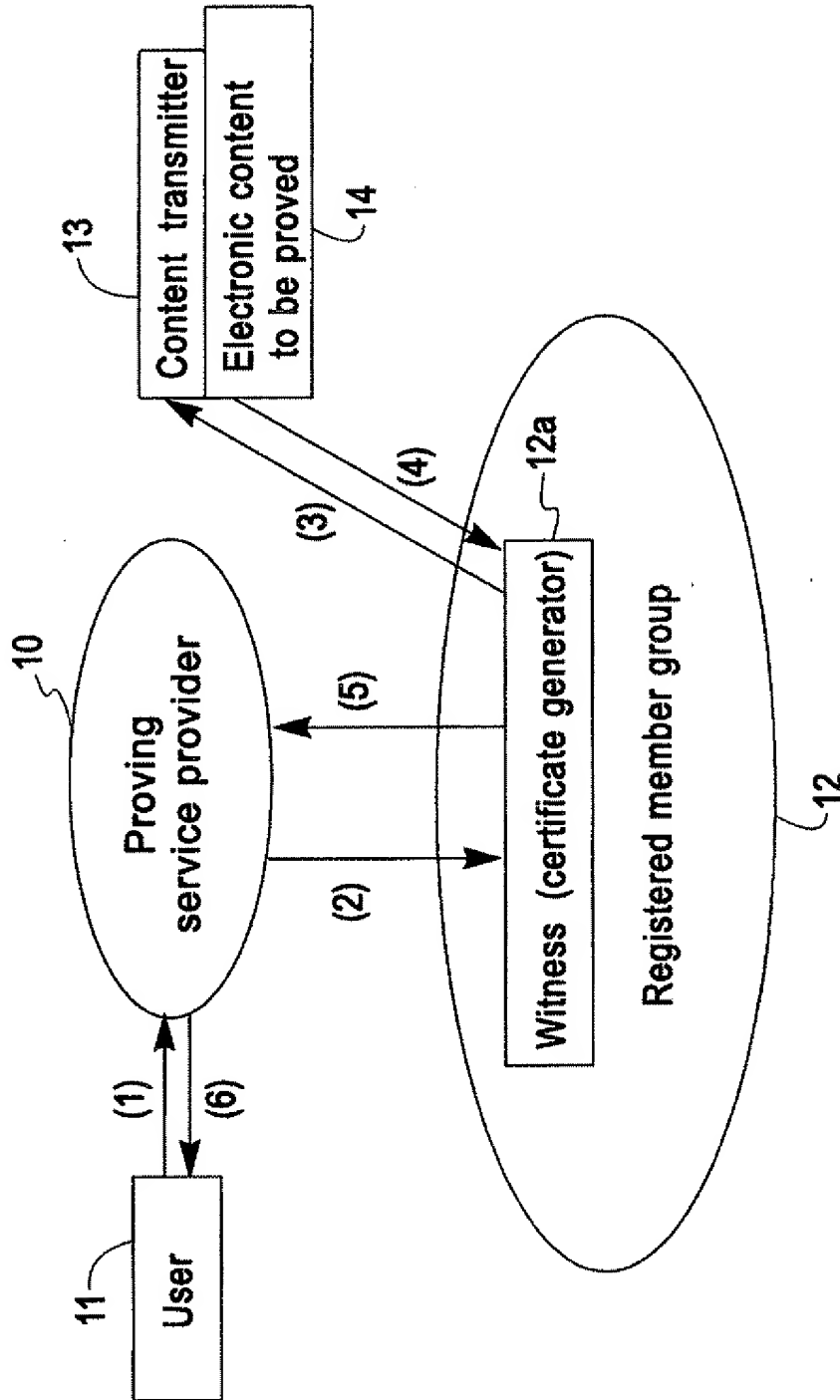


Fig. 1



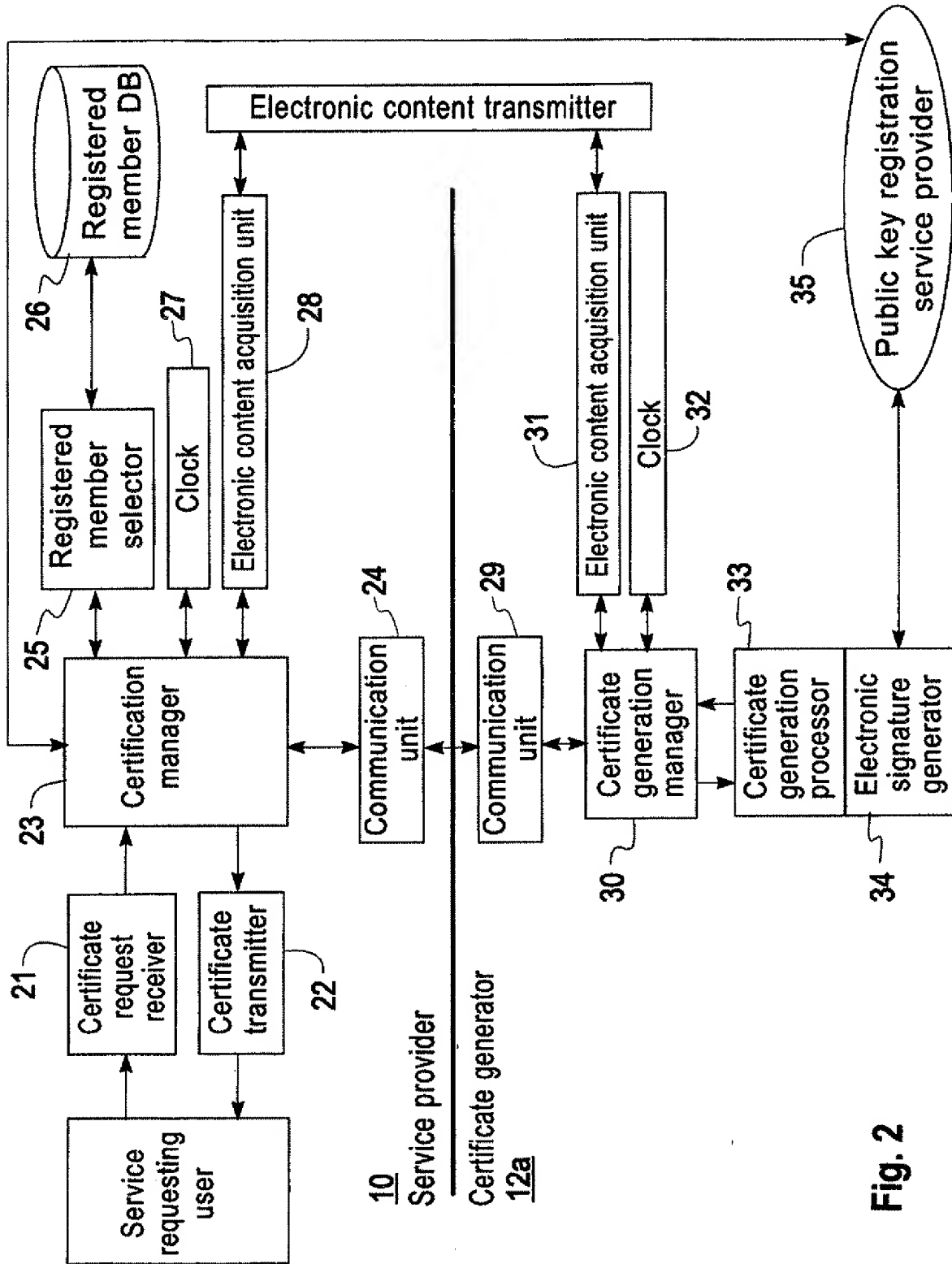


Fig. 2

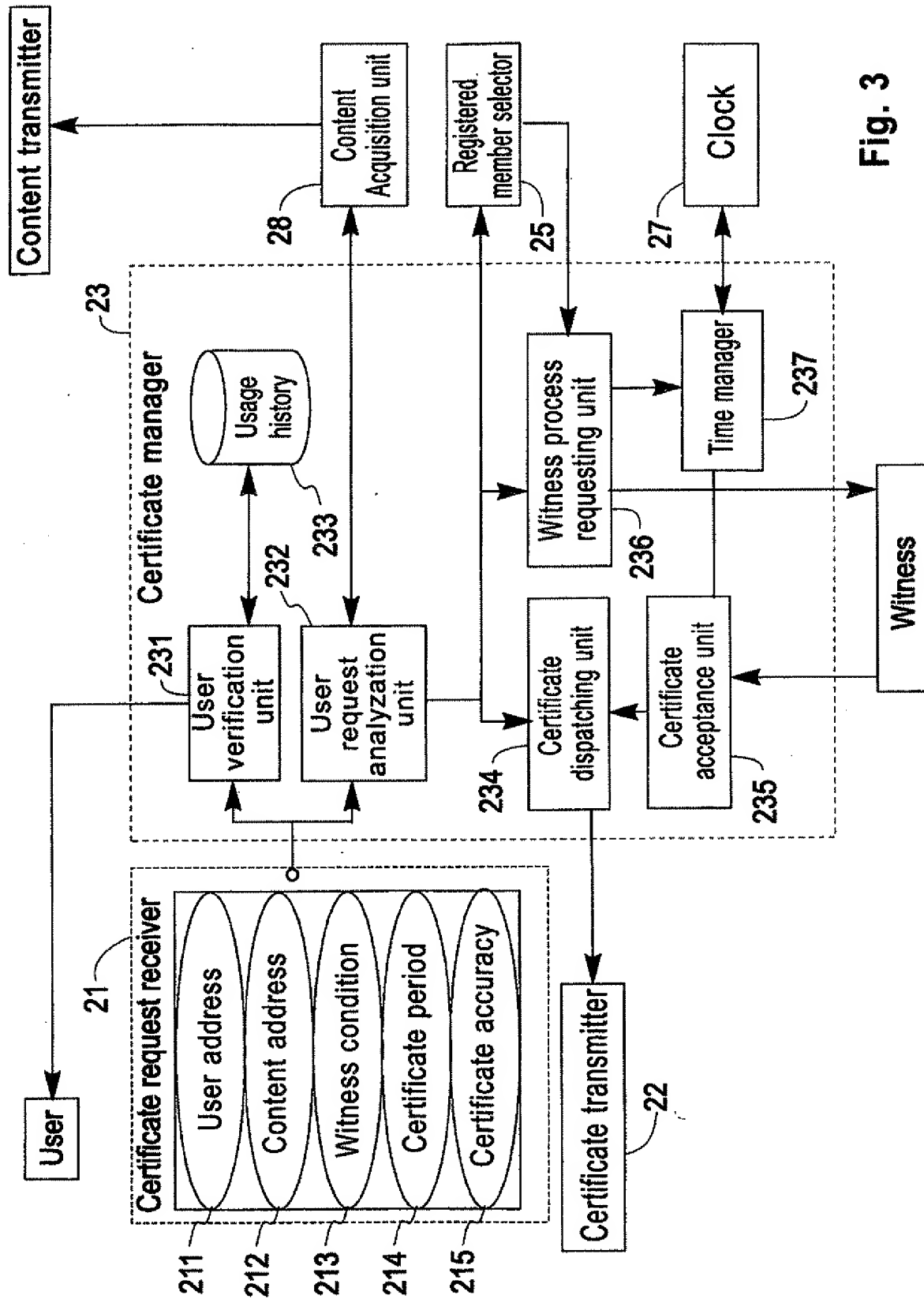


Fig. 3

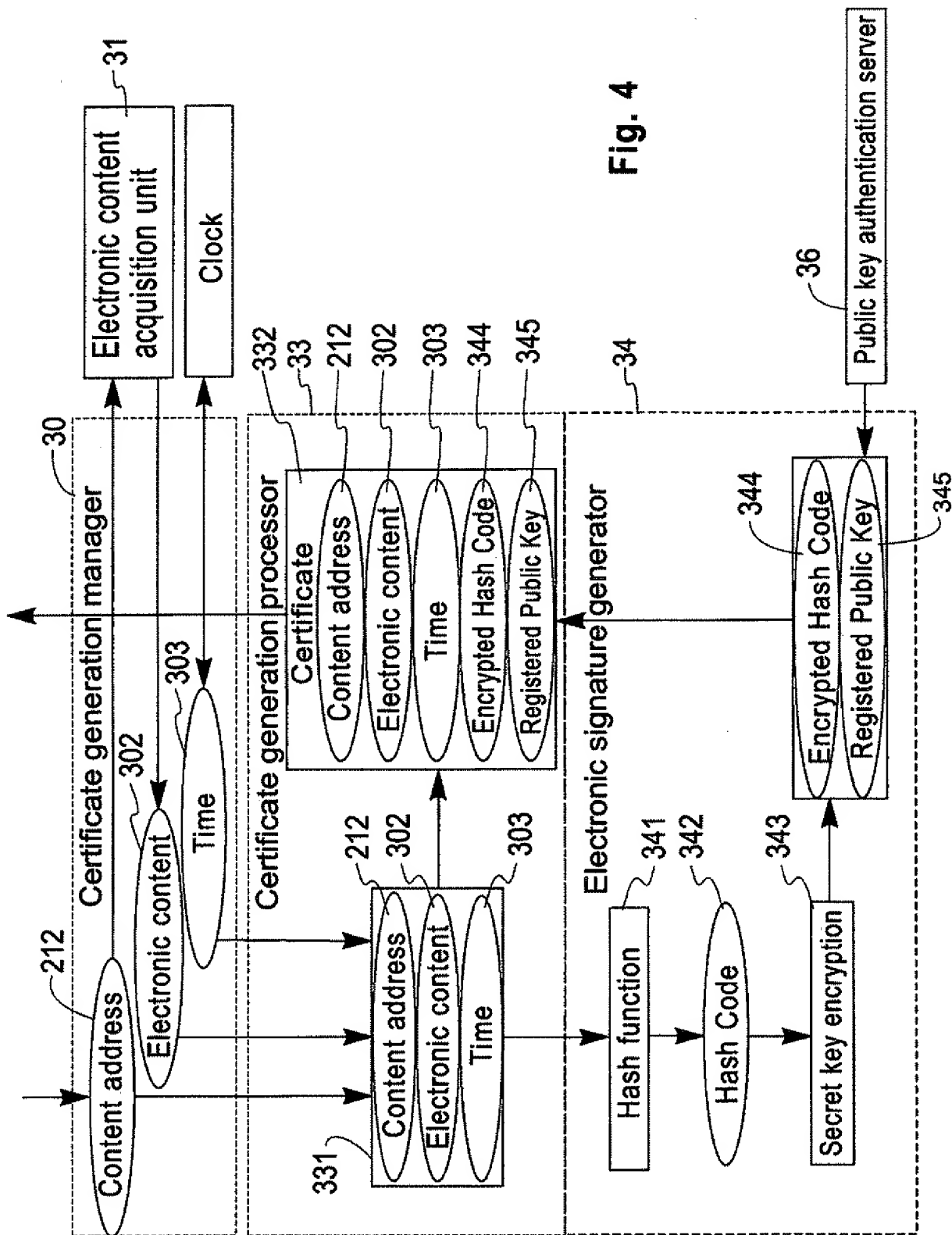


Fig. 4

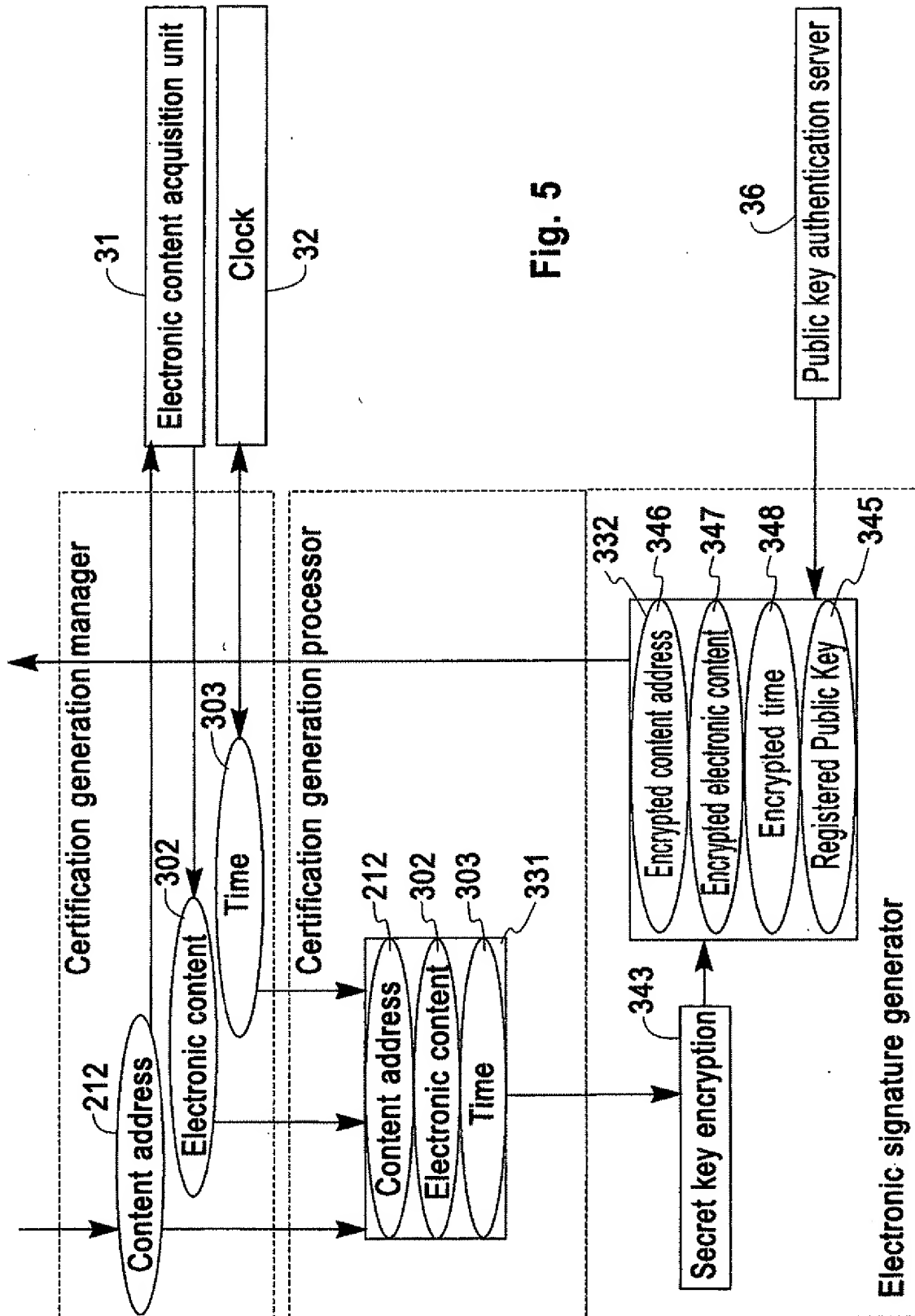


Fig. 5

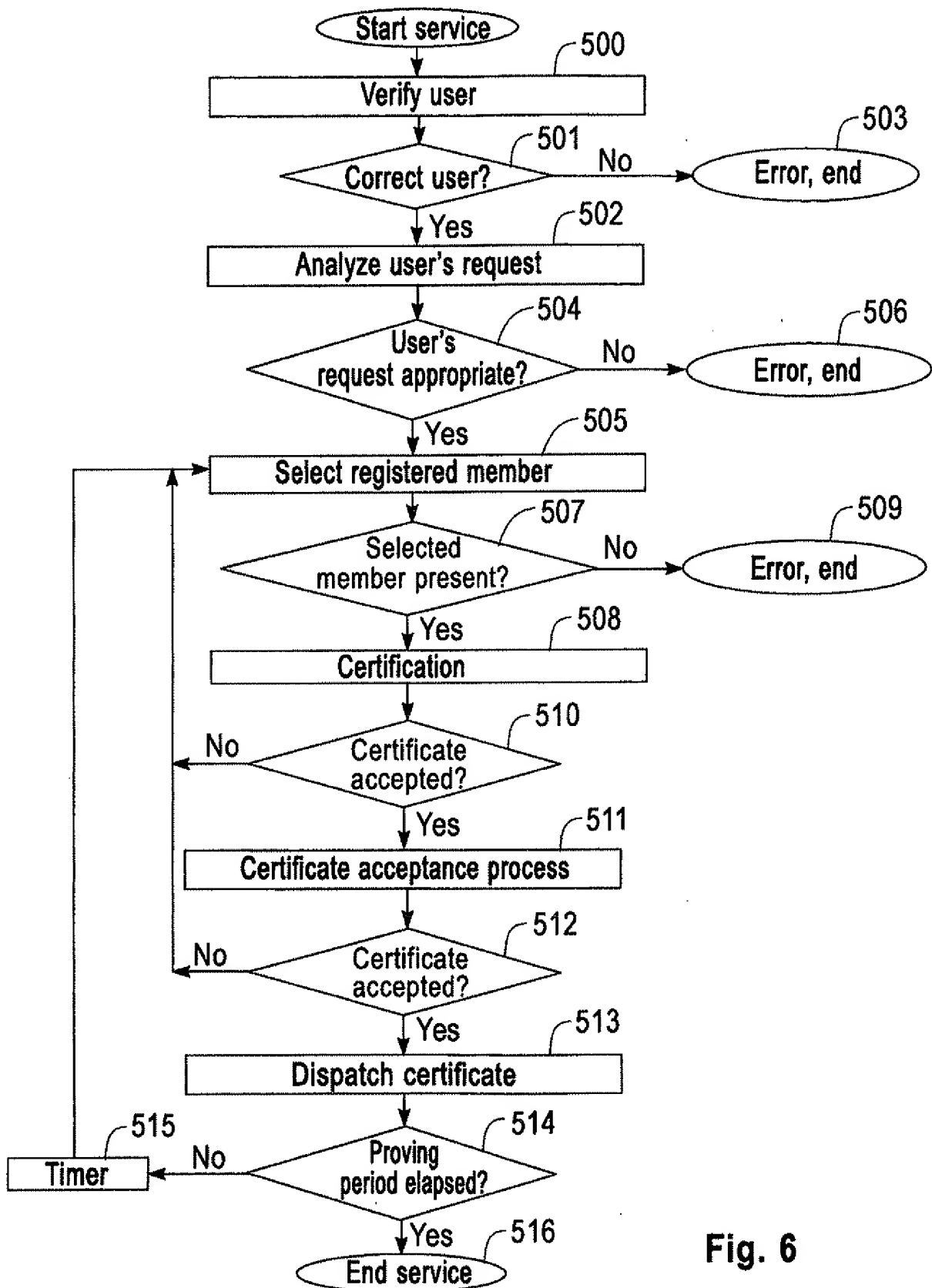


Fig. 6

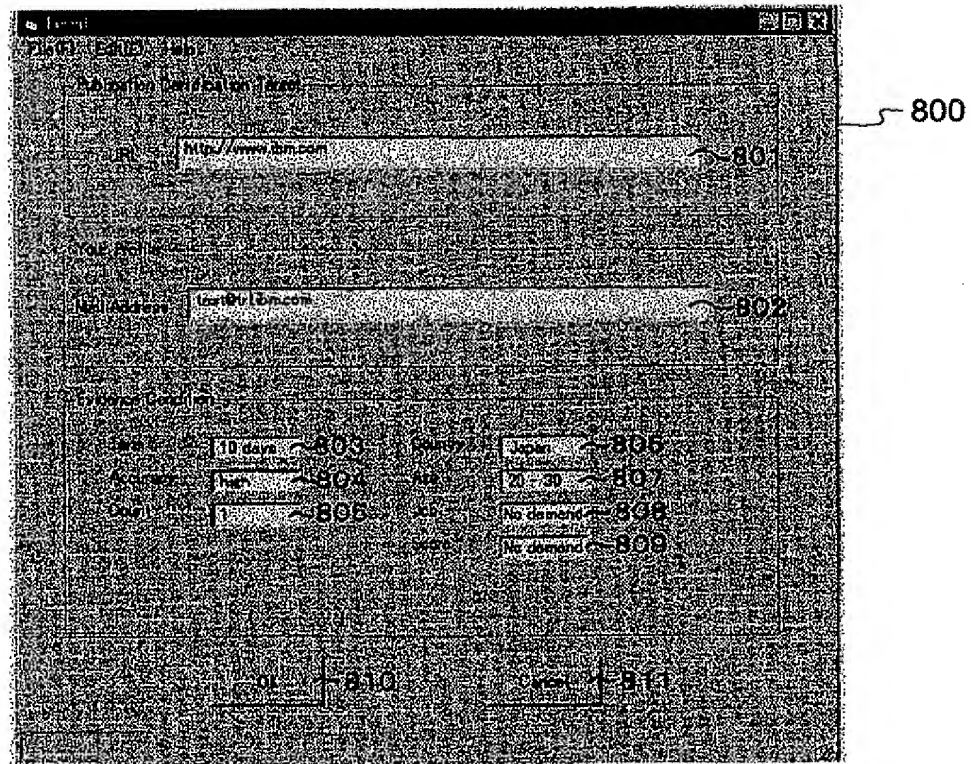


Fig. 7

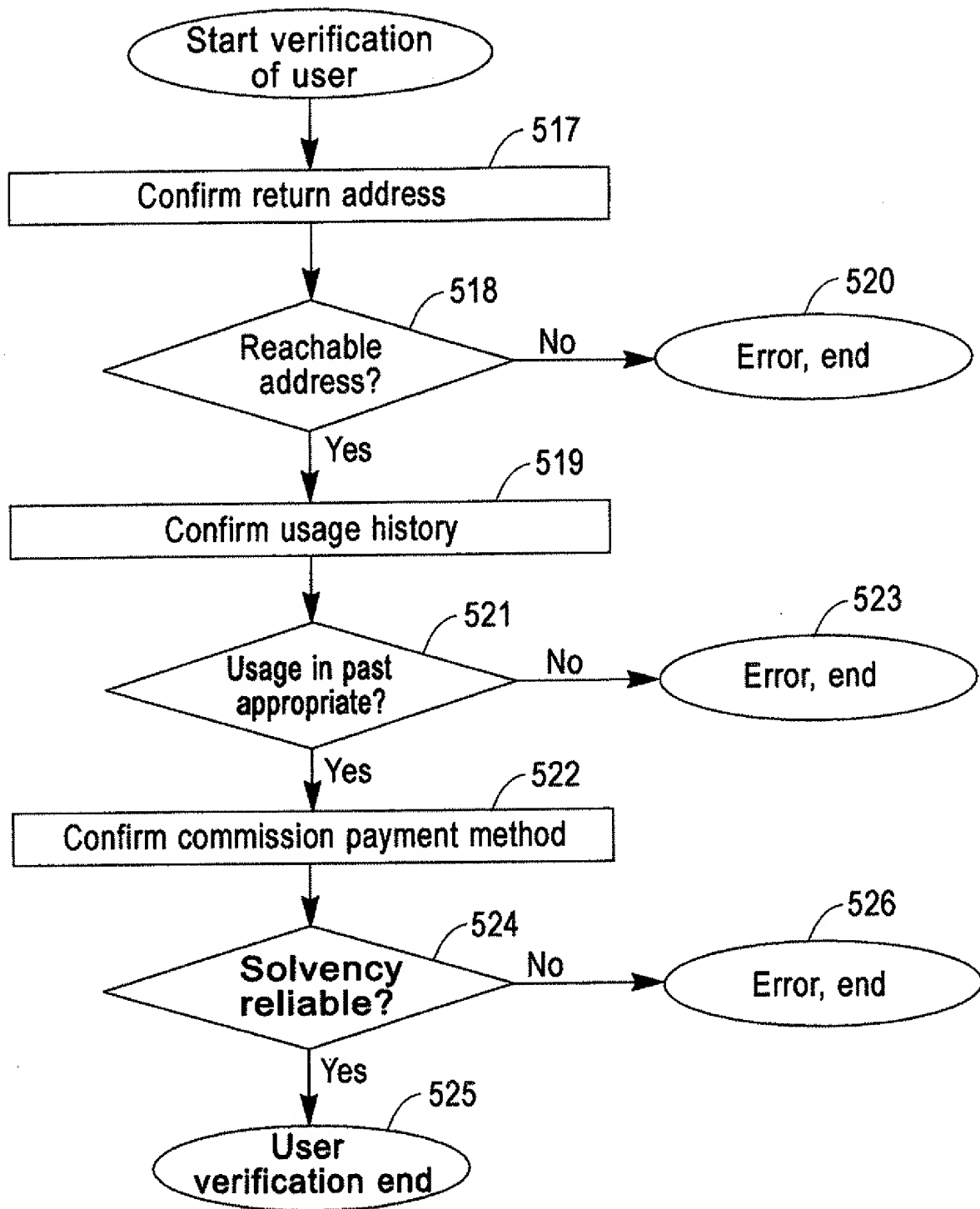


Fig. 8

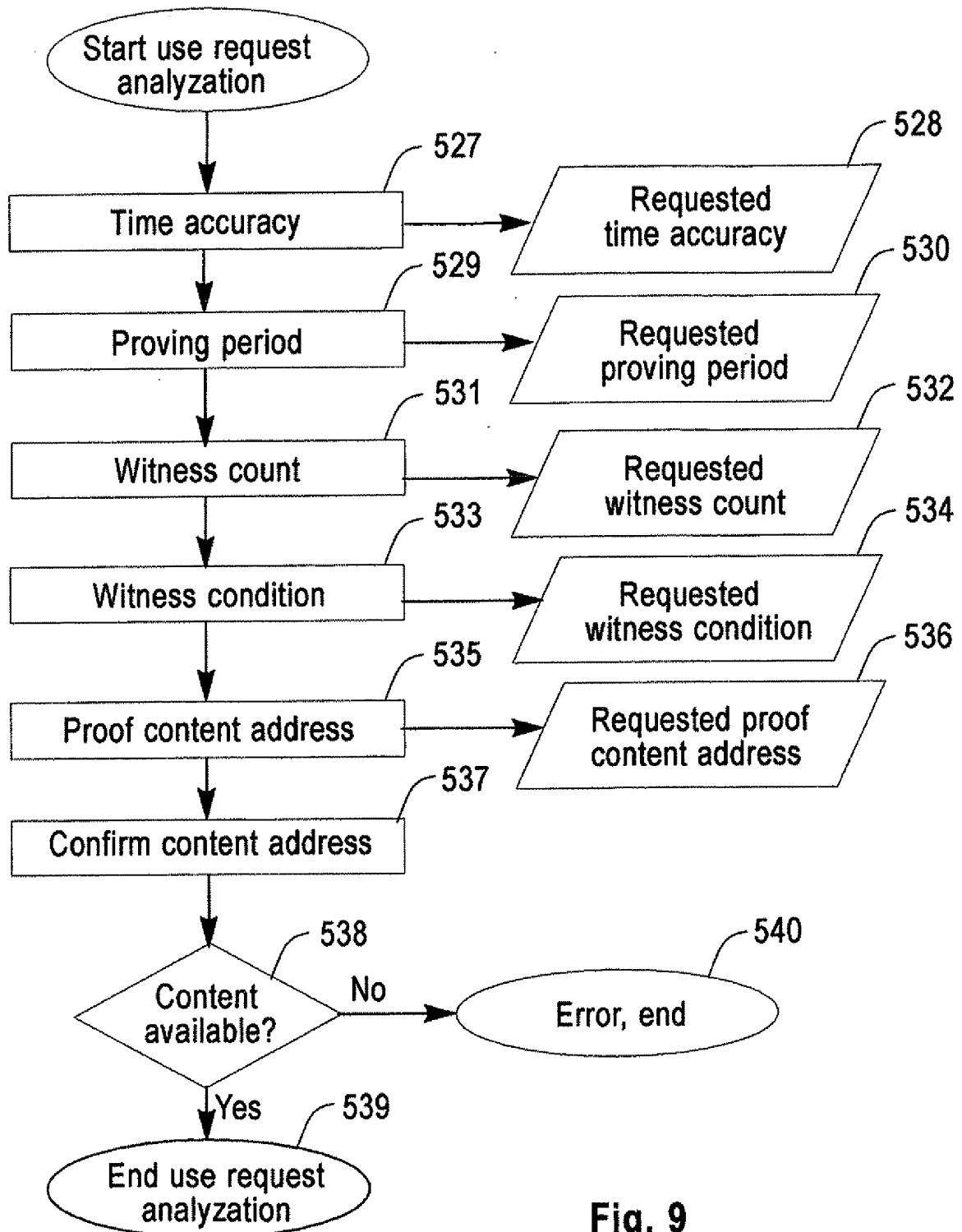


Fig. 9



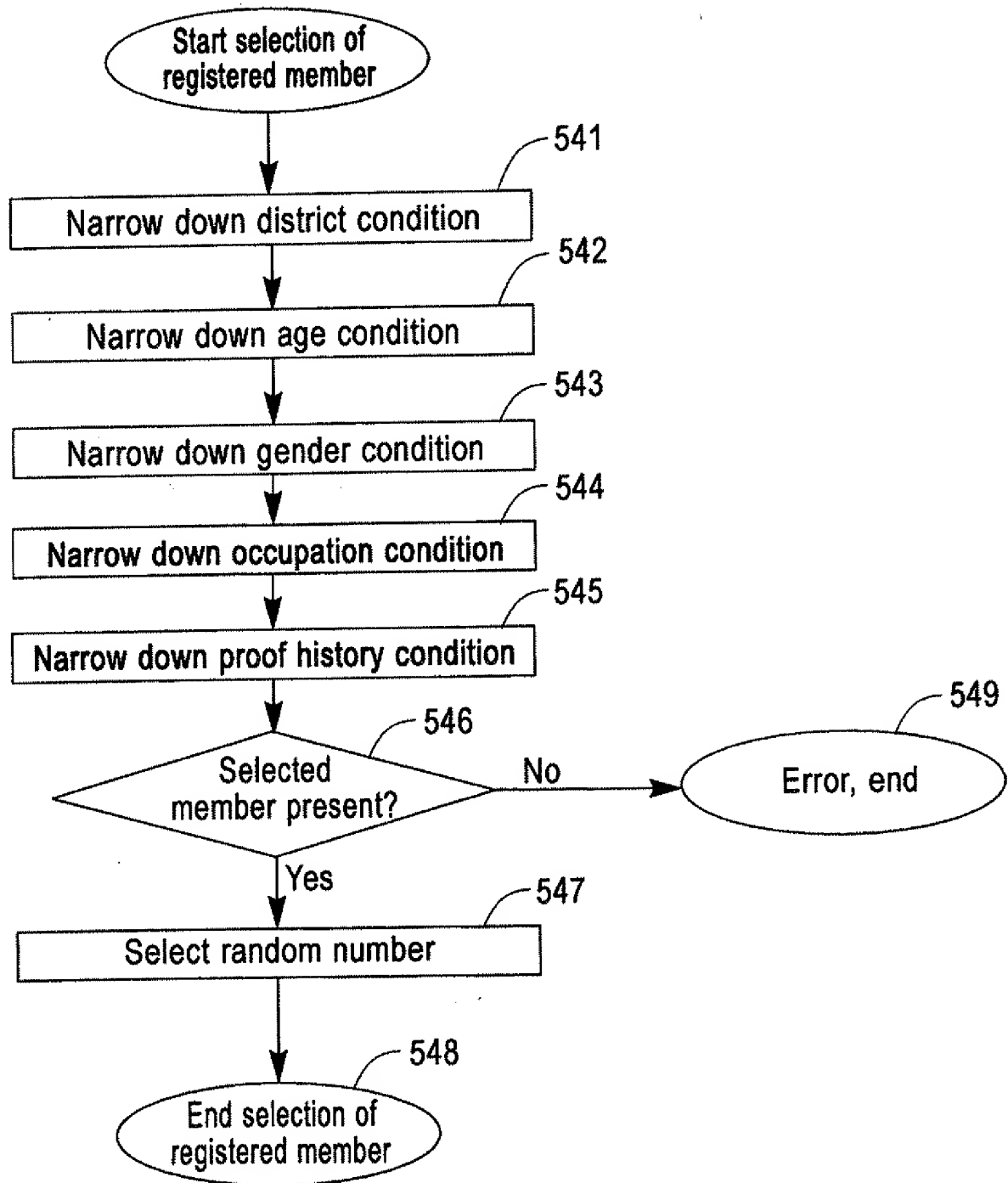


Fig. 10

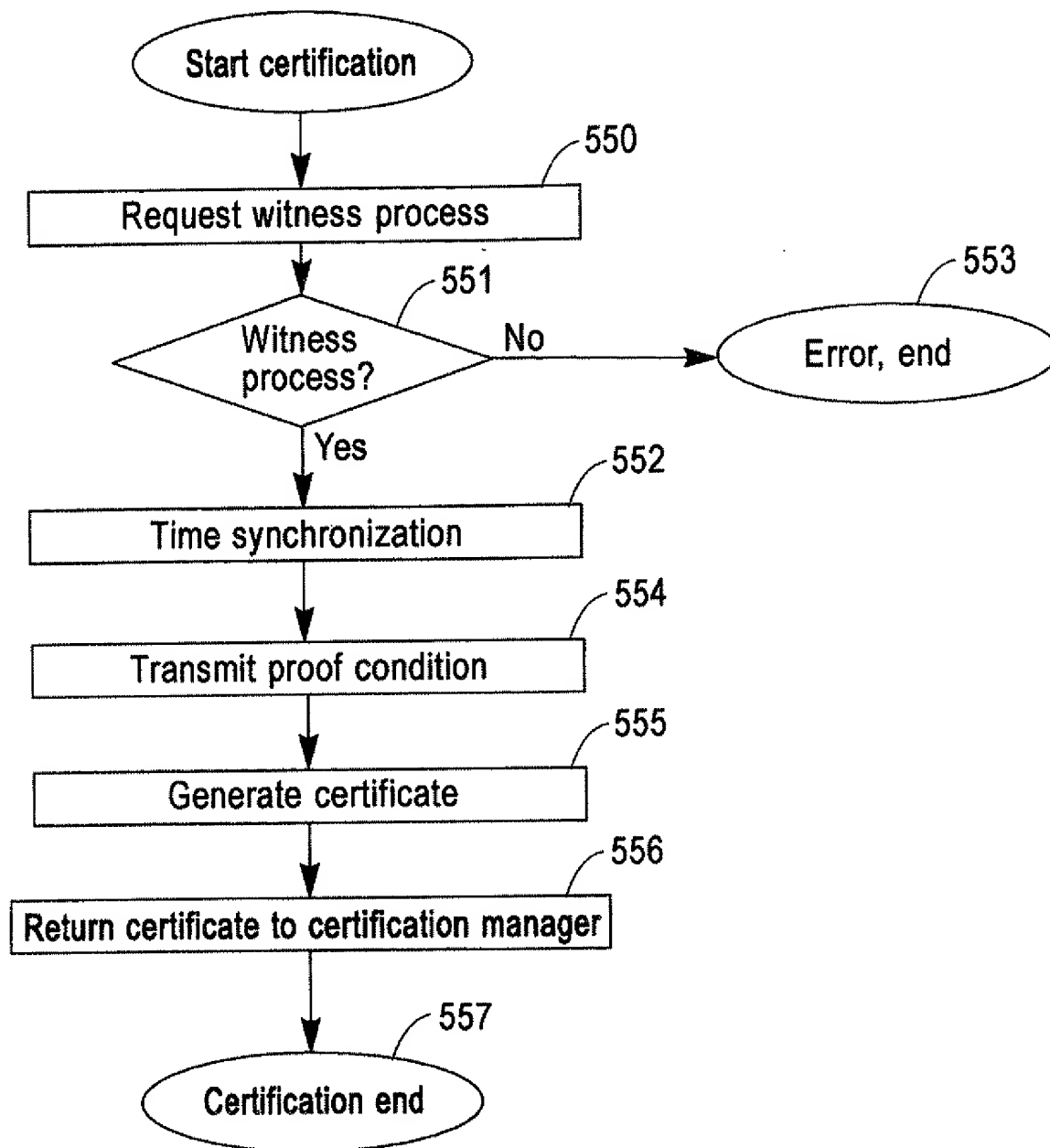


Fig. 11

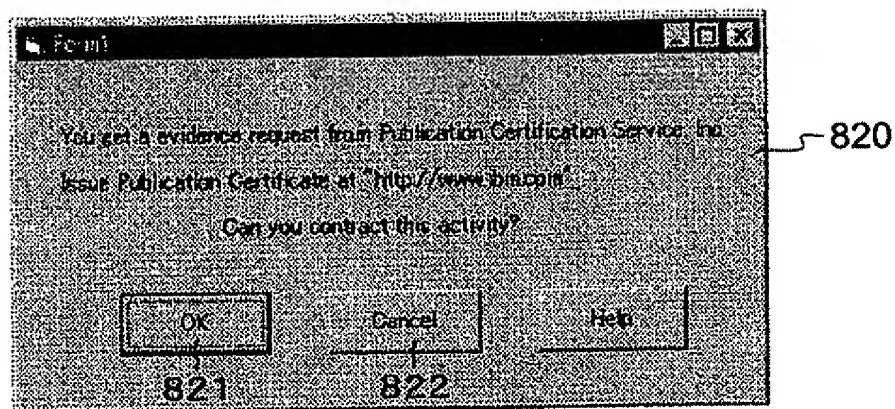


Fig. 12

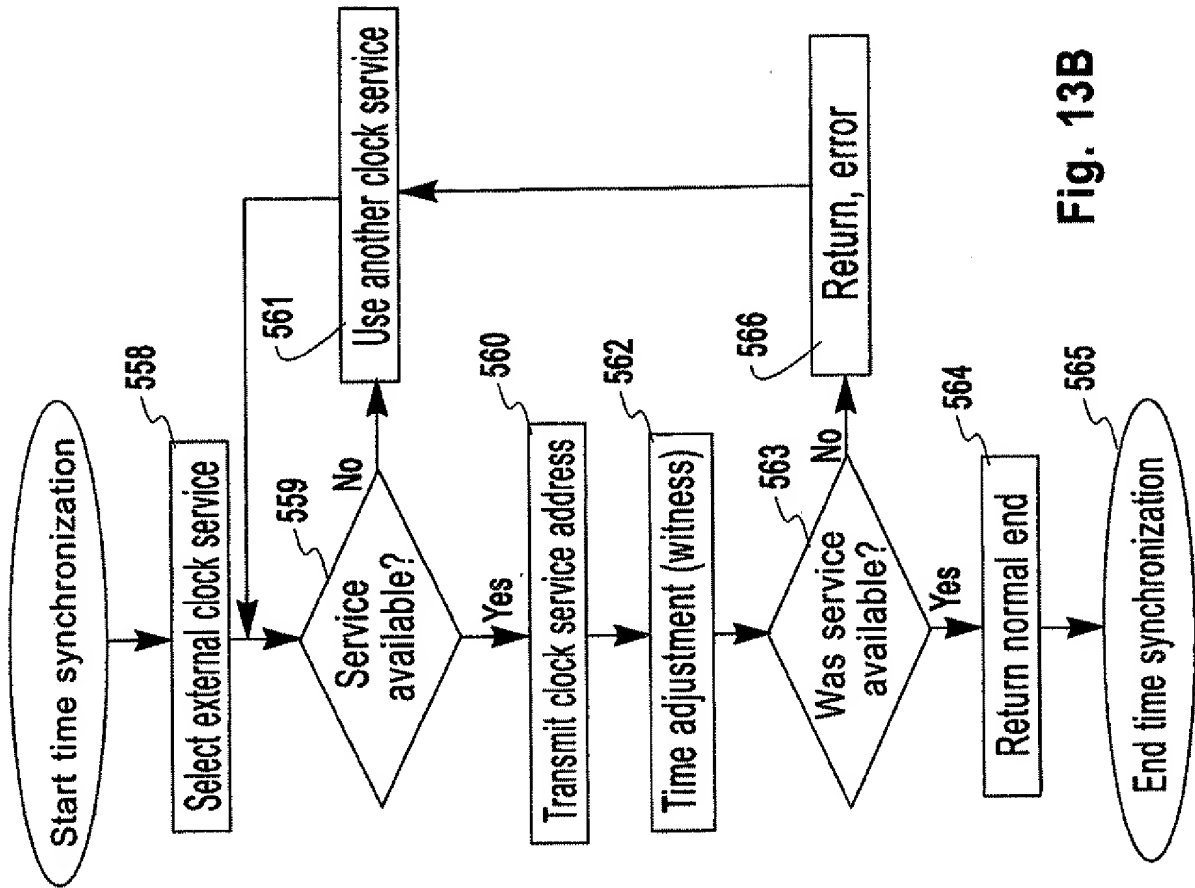


Fig. 13B

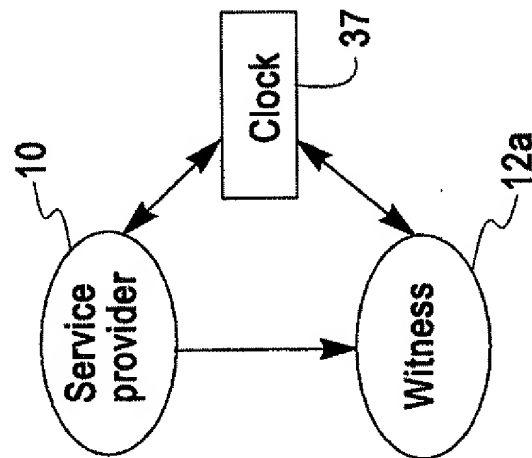


Fig. 13A

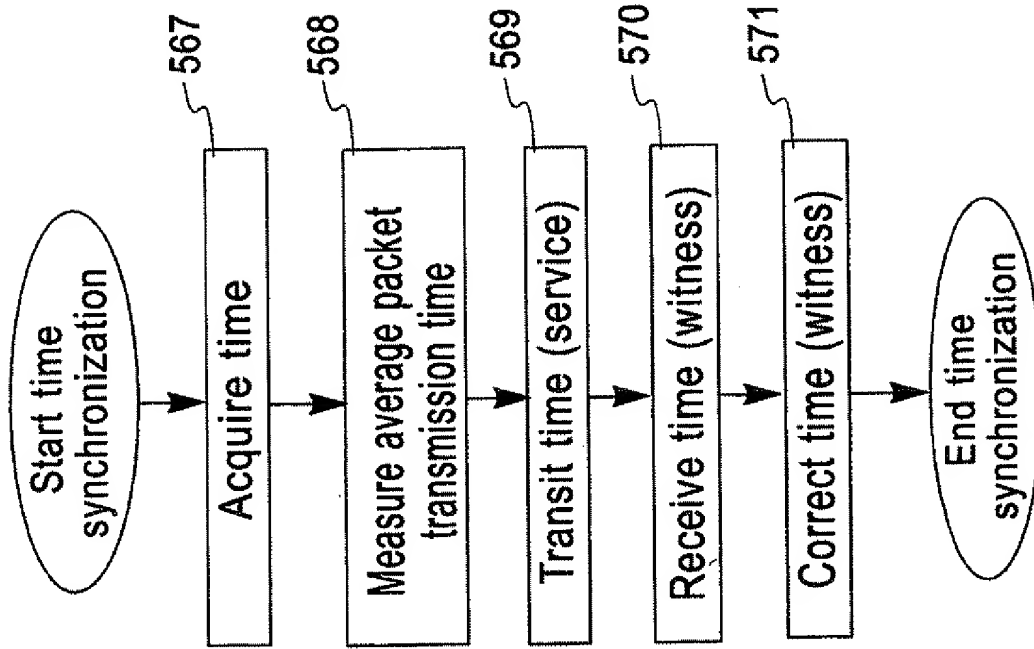


Fig. 14B

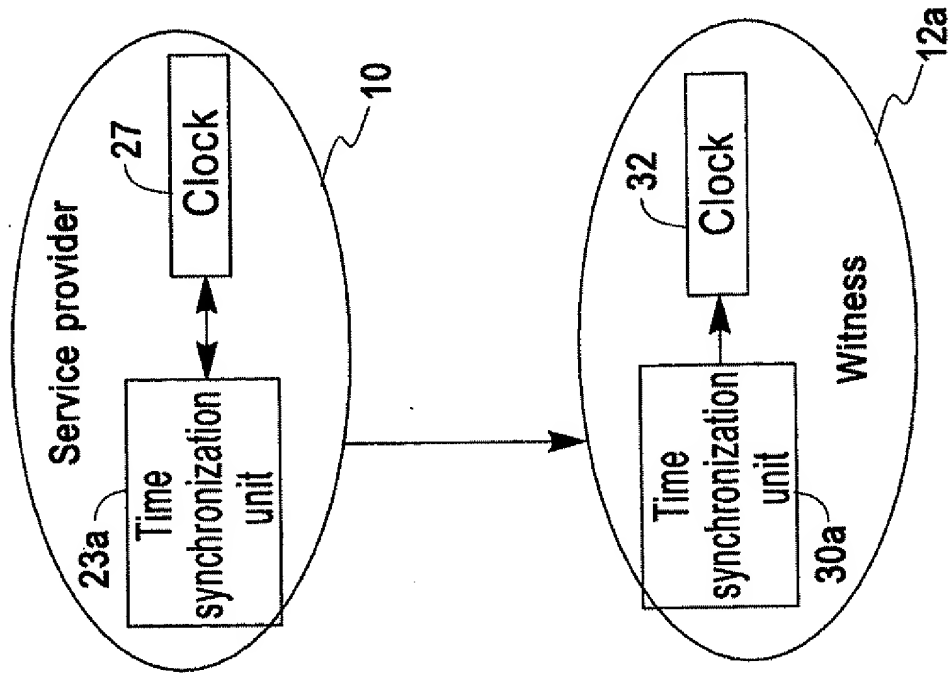


Fig. 14A

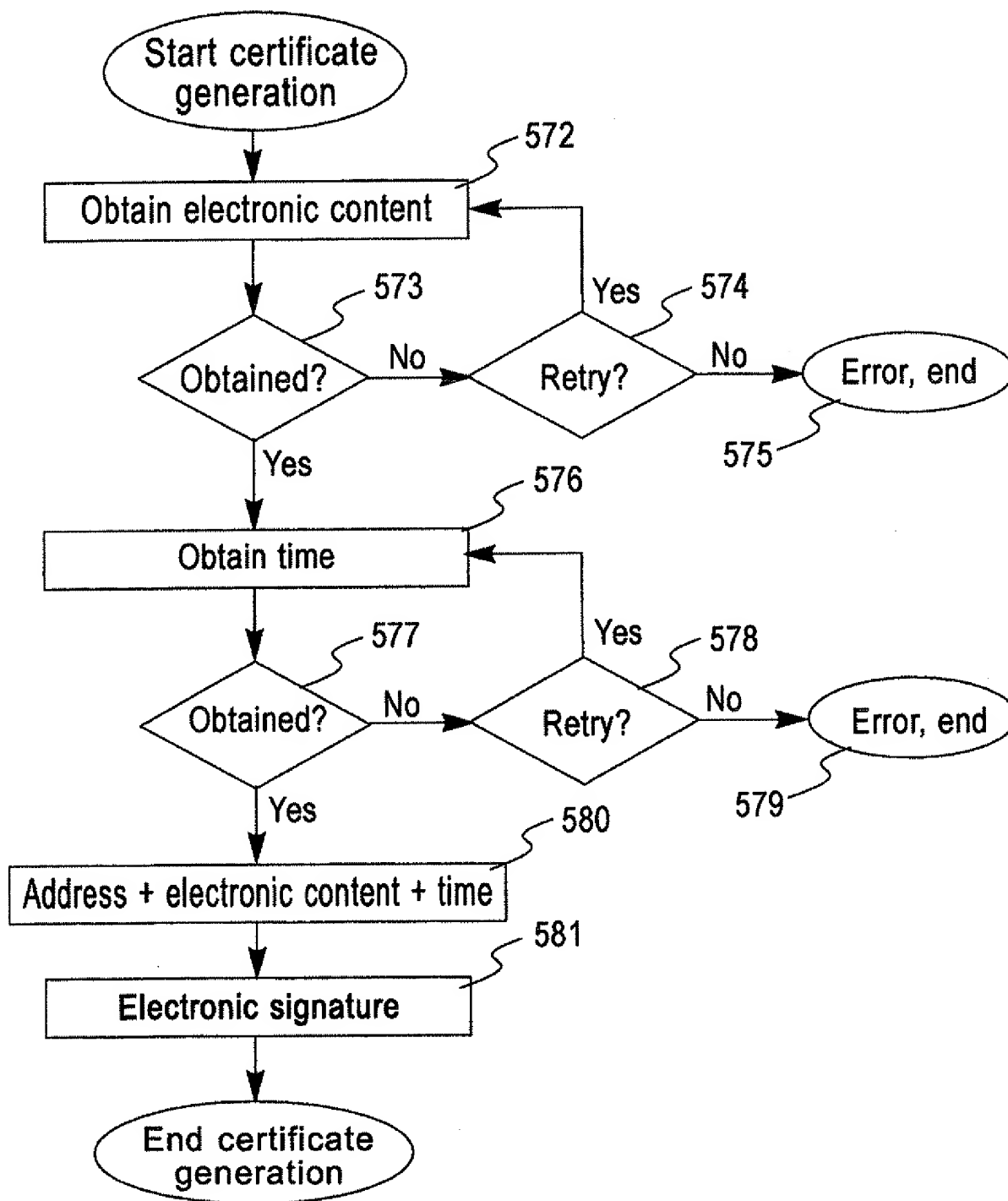


Fig. 15

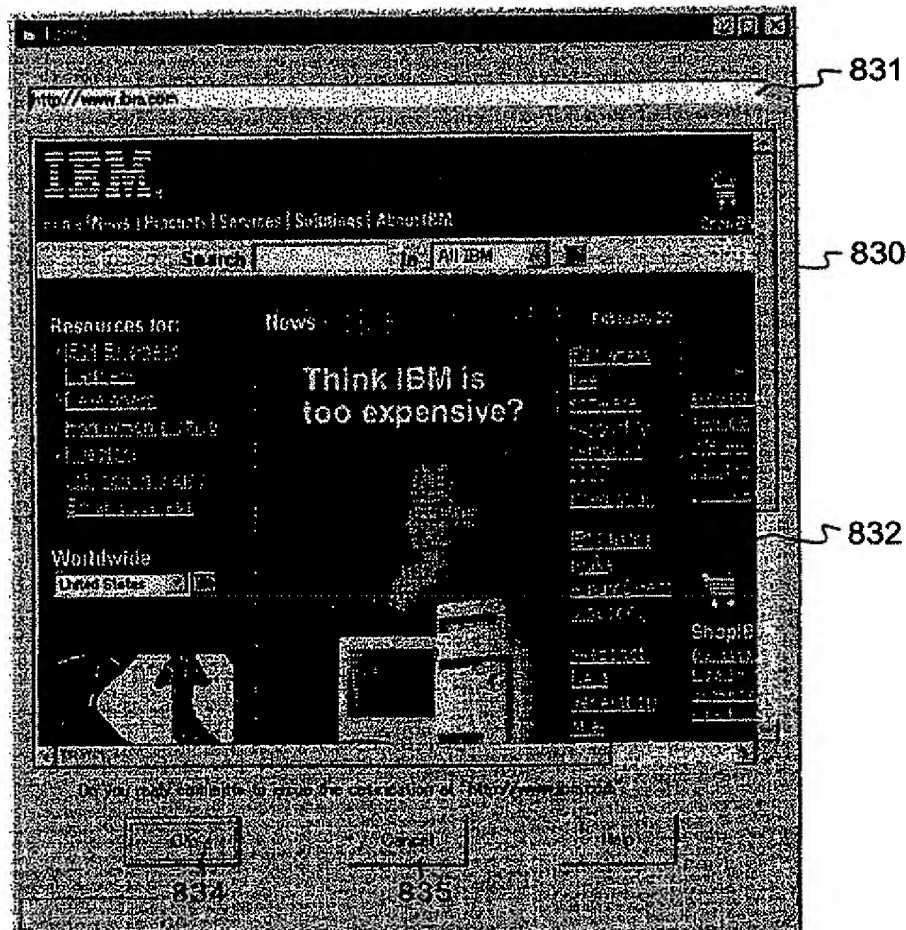
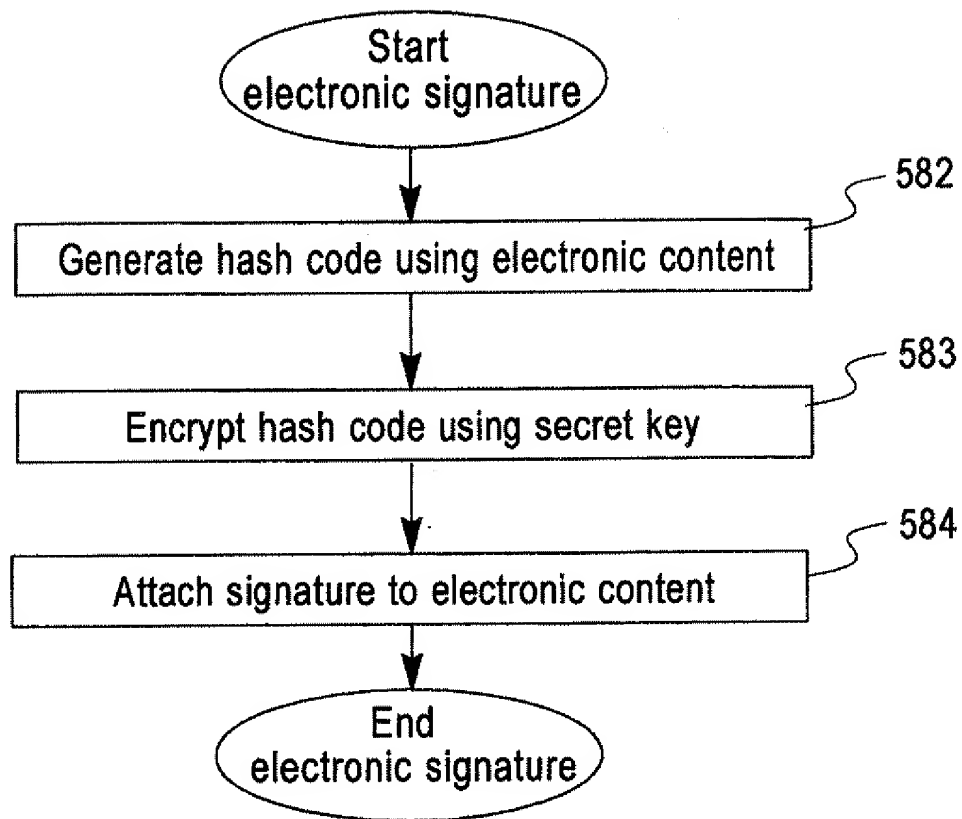


Fig. 16



**Fig. 17**



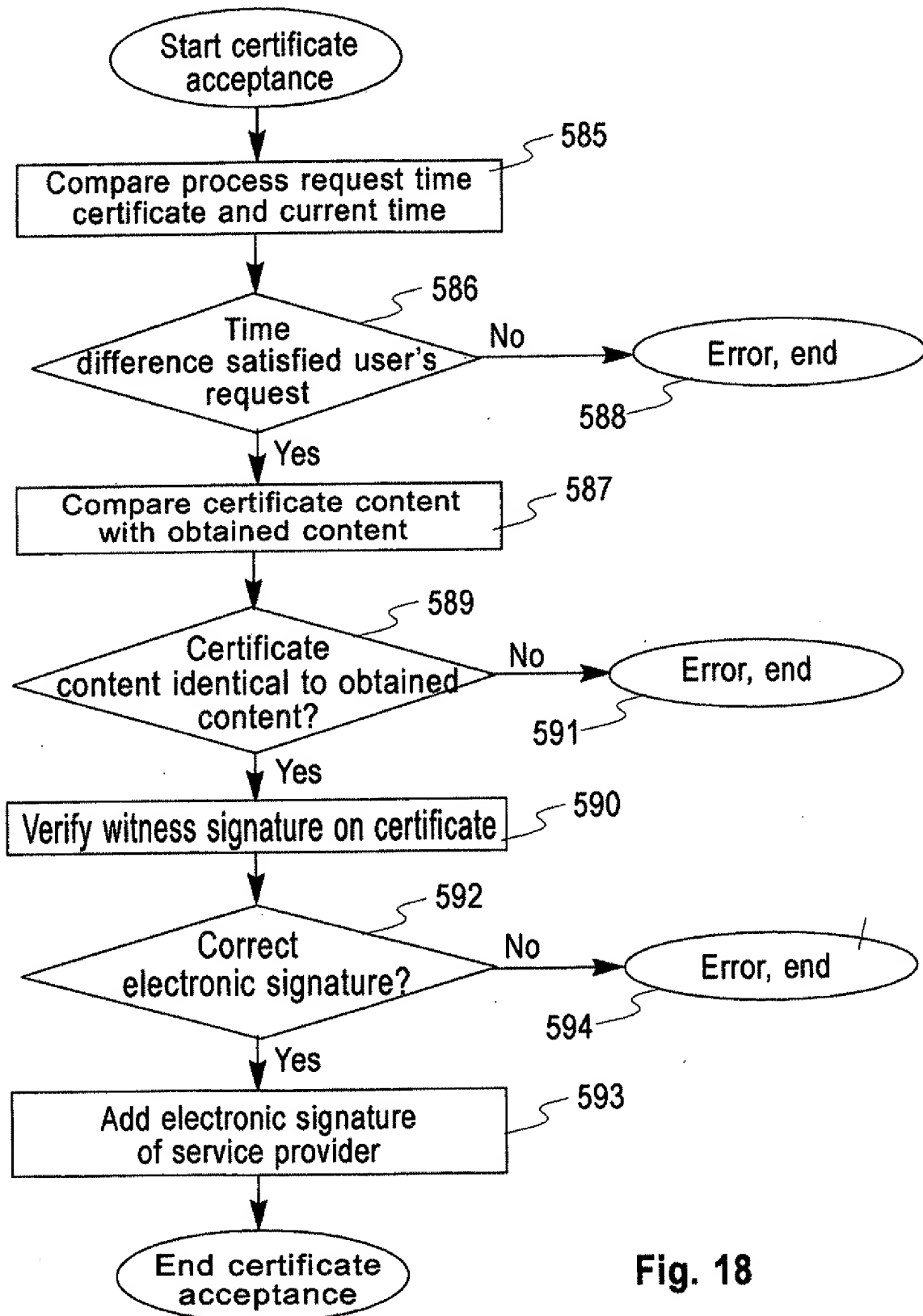


Fig. 18

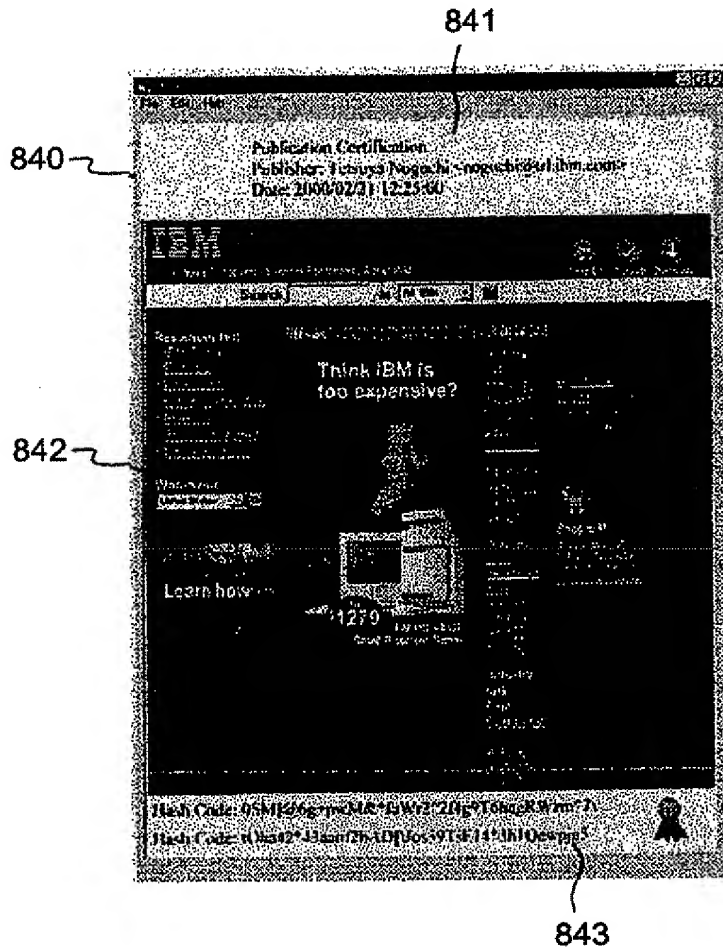


Fig. 19

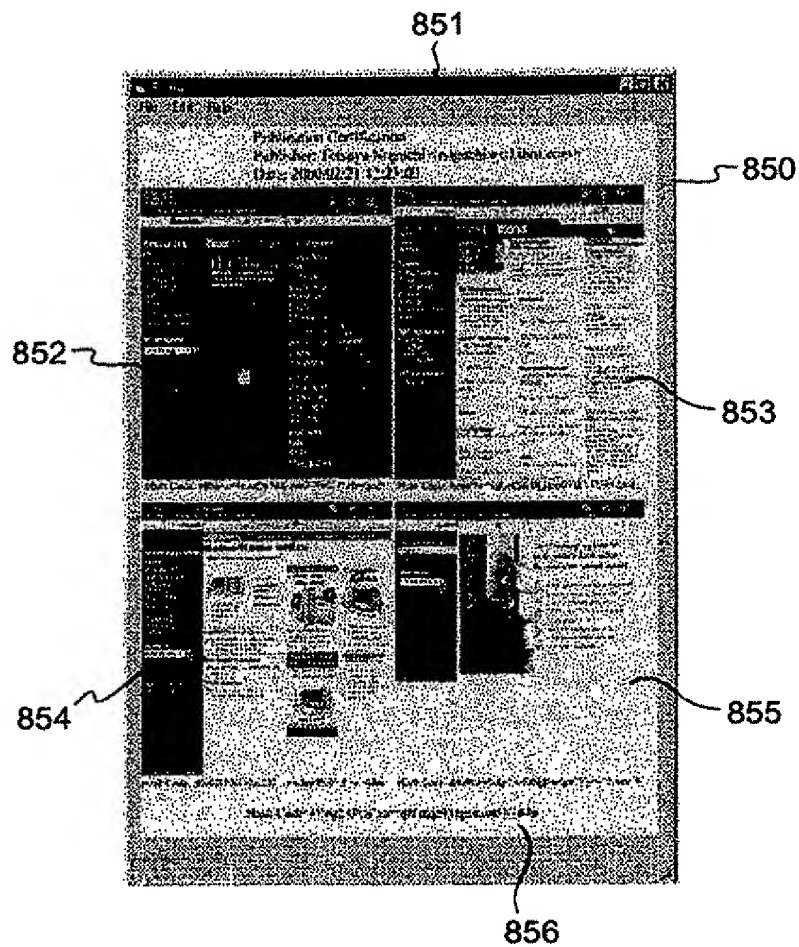
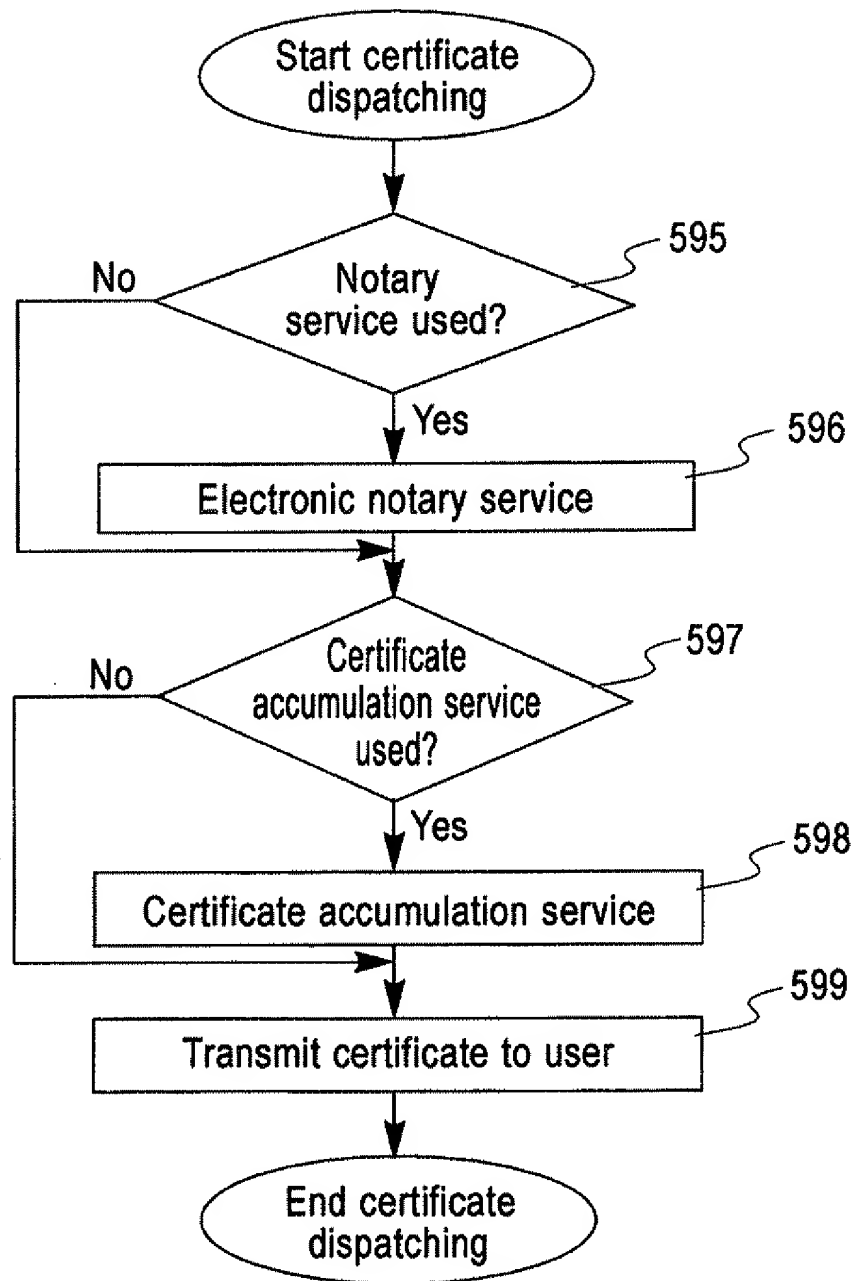


Fig. 20



**Fig. 21**

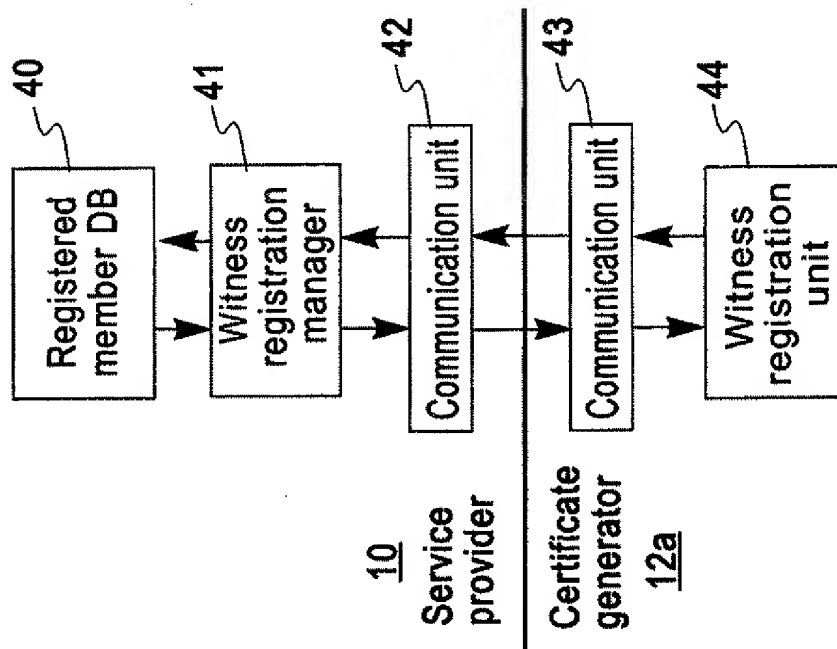


Fig. 22A

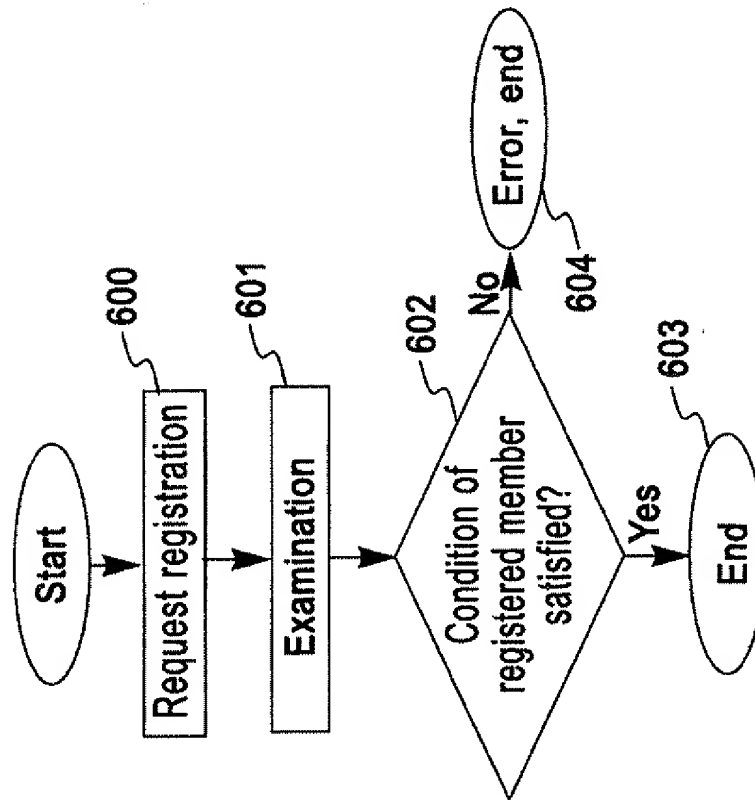


Fig. 22B

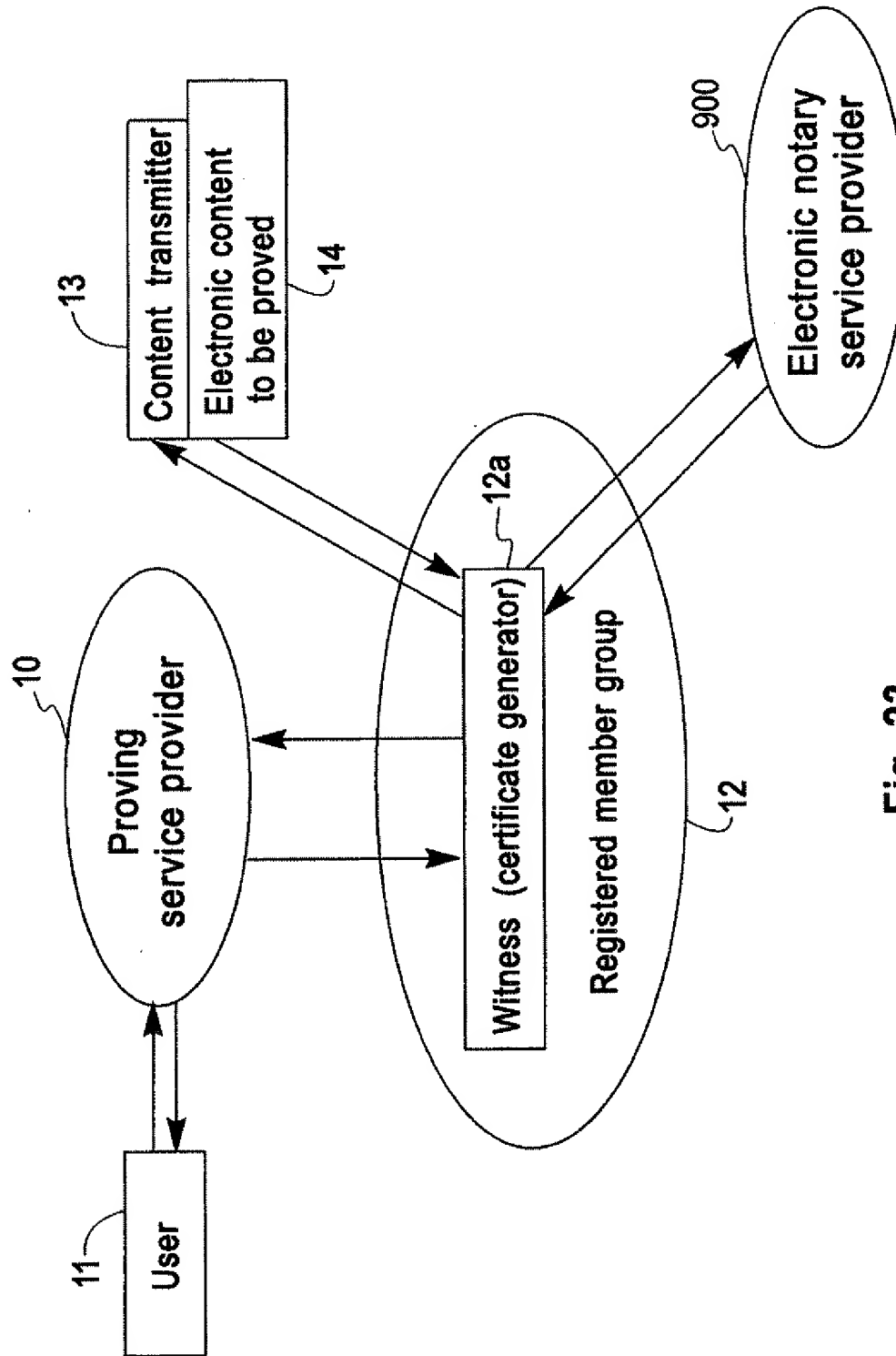


Fig. 23



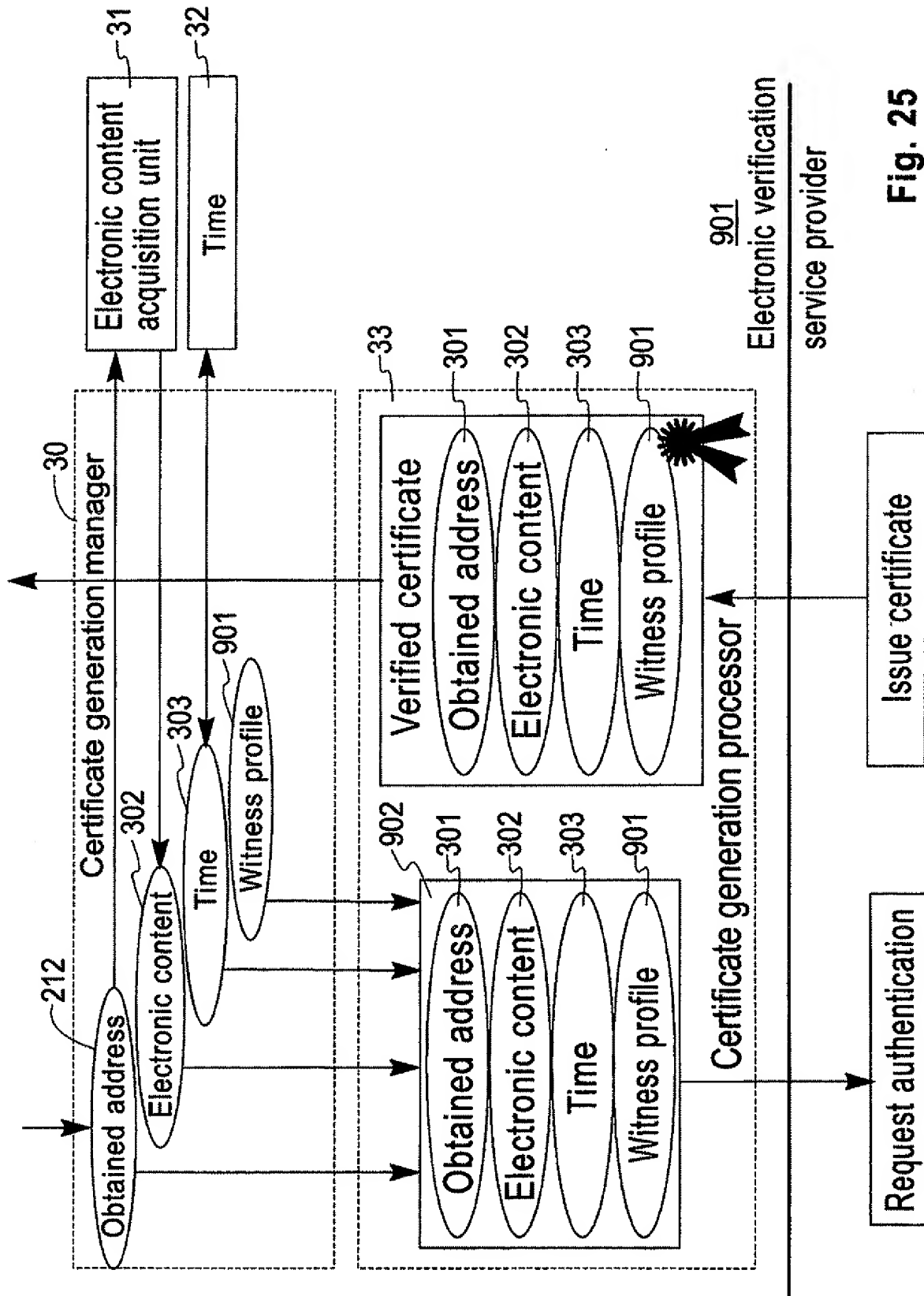


Fig. 25



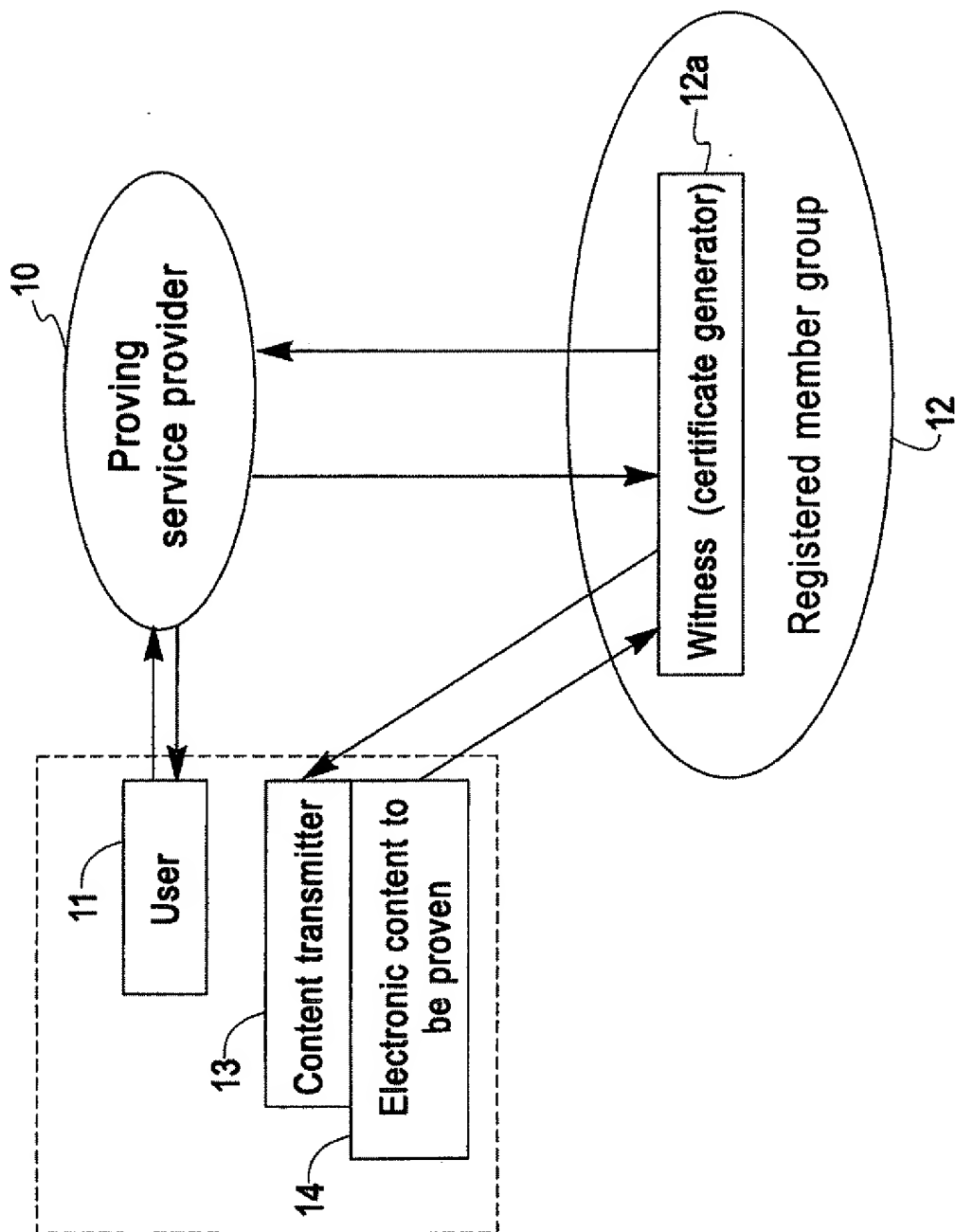


Fig. 26

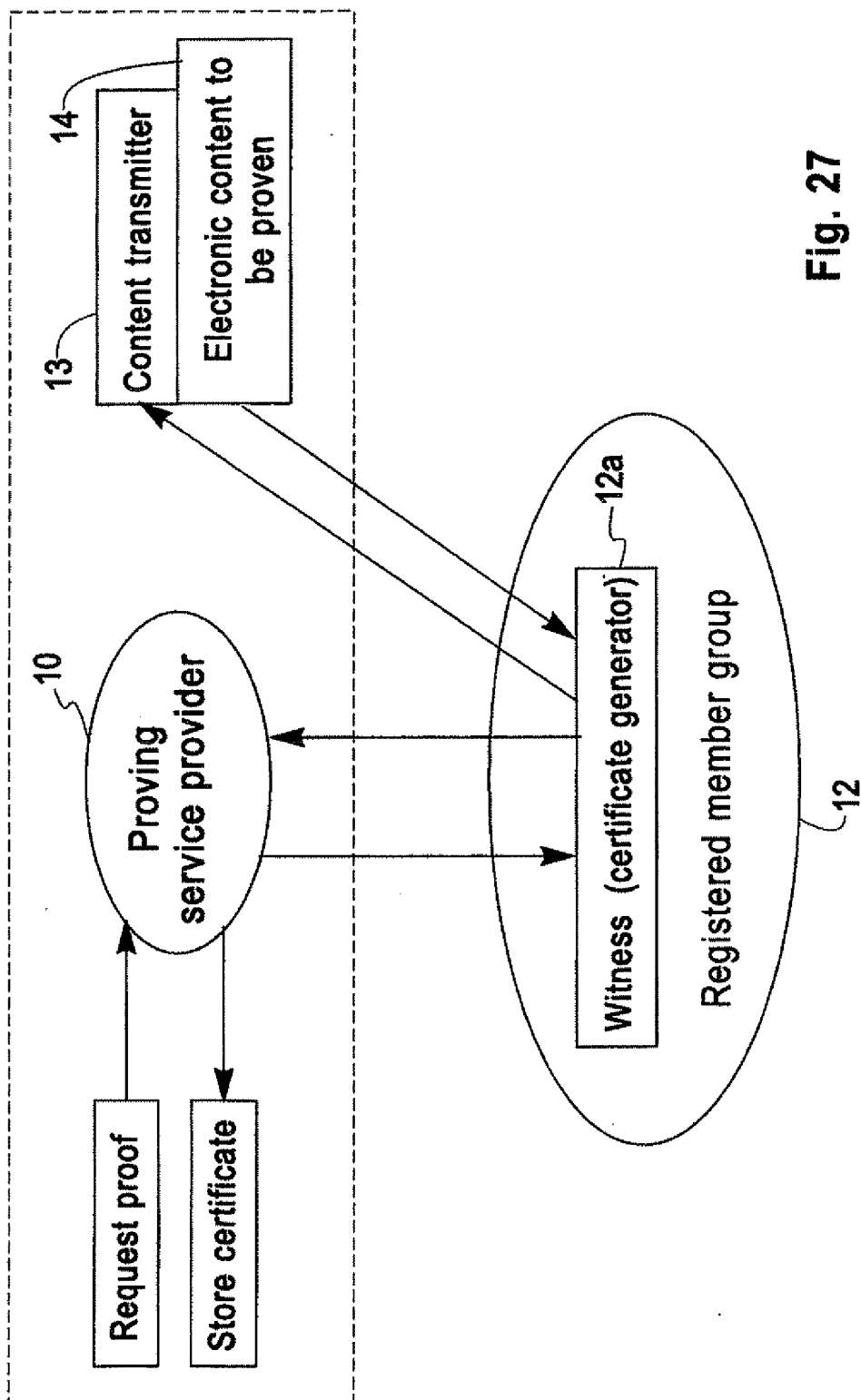


Fig. 27